CMPMO No. 194 of 2006

15.9.2006 **Present: Mr.Sanjeev Sood, Advocate, for the petitioner.**

Mr. Bhupender Gupta, Sr. Advocate, with Ms. Charu Gupta, Advocate, for respondent No.1.

The petition filed under Section 13 of the Hindu Marriage Act by respondent No.1 against the petitioner and respondent No.2 is pending in the Court of learned District Judge, Solan. I have been informed that uptil now the conciliation efforts have not started in the sense that the parties have not appeared before the learned Court below for conciliation.

After going through the contents of the transfer petition filed by the petitioner and the reply thereto filed by respondent No.1 and upon hearing the learned counsel for the parties, I feel convinced that the interests of justice demand that the petition is transferred from Solan to Kullu because the petitioner has succeeded in making out a good case in her favour linked with and based upon the convenience of the petitioner as well as the acute lack of resources at her command. I, therefore, find that this is a fit case where pending petition should be transferred from Solan to Kullu. Before, however, transfer takes effect, I feel that the

conciliation proceedings between the husband and the wife should be held in Solan. The learned District Judge, Solan, shall hold the conciliation proceedings and make an earnest and sincere effort and endeavour to bring about the conciliation between the two estranged spouses. May be his efforts succeed. Only if his efforts fail, the matter shall stand transferred to District Judge, Kullu. I accordingly order as under:-

1. The petitioner and respondent No.1 shall appear personally before the learned District Judge, Solan, on 17th October, 2006. On that date the learned District Judge shall make an effort to bring about conciliation between the parties.
2. If the conciliation efforts fail, the case shall stand transferred to the file of the learned District Judge, Kullu. In that event the learned District Judge, Solan, shall transmit the record of the case to the learned District Judge, Kullu, where the parties are directed to appear on 23rd November, 2006.

The petition is disposed of.

CMPs No.391 & 485/2006

In view of the disposal of the main petition, both the applications are also disposed of.

15th September, 2006 (V.K.Gupta), C.J.

(C)